

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-7, 9-14, 16-18, and 20-23 are pending. Claims 2, 8, 15, and 19 have been canceled without prejudice. Claims 1, 3-7, 11, 13, 14, 17, 18, 20, and 21 have been presently amended. Claims 22 and 23 have been added.

In the Official Action, Claims 19-21 were rejected under 35 U.S.C. § 101; Claims 1, 5-8, 10-14, 16-18, 20, and 21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Matsumoto et al. (U.S. Patent No. 6,647,125); and Claims 2-4, 9, 15 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto in view of Nakajima (U.S. Patent No. 6,650,437).

Regarding the 35 U.S.C. § 101 rejection, Claims 19-21 are amended in response to the rejection under 35 U.S.C. § 101 to define statutory subject matter and are amended as suggested in the Office Action. Thus, this rejection has been overcome.

Claim Summary: Claim 1 as amended is directed to an image processing apparatus as described in the fourth embodiment disclosed in Applicants' specification, specifically pages 44 - 51. The image processing apparatus includes:

- a communication unit configured to exchange data with an external device;
- an attribute determination unit that determines an image attribute of a first image signal on a pixel by pixel basis to generate a dot identification signal and a black-character identification signal;
- an embedding unit that embeds the black-character identification signal the first image signal in a predetermined format to obtain a second image signal;
- a storage unit that stores the second image signal ***including the dot identification signal and the black-character identification signal***, wherein

the second image signal is transmitted to the external device through the communication unit;

an extractor that extracts the black-character identification signal from the second image signal; and

an image processor that performs predetermined image processing on the second image signal stored, based on the dot identification signal and black-character identification signal. [Emphasis Added.]

Regarding the art rejections, the outstanding Office Action applied Matsumoto et al for an asserted teaching of an attribute determination unit that determines an image attribute of a first image signal on a pixel by pixel basis to generate an attribute signal indicating the image attribute. See Office Action, page 6, line 17, to page 7, line 5. However, there is no disclosure in Matsumoto et al for the processing units defined in Claim 1 which 1) embed a black-character identification signal in the first image signal in a predetermined format to obtain a second image signal, 2) include in the second image signal the black-character identification signal and the dot identification signal, 3) extract the black-character identification signal from the second image signal, and 4) perform predetermined image processing on the second image signal stored, based on the black-character identification signal stored and the dot identification signal.

For instance, while Matsumoto et al describe at col. 2 to col. 5 various attribute and image information, there is no disclosure here of a black-character identification signal and a dot identification signal, much less the extraction of such information from an image signal and the further processing of image signals based on such extracted data.

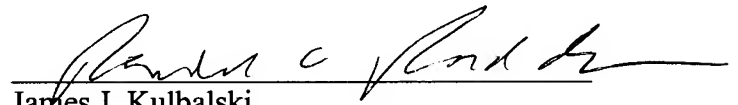
M.P.E.P. § 2131 requires for anticipation that each and every feature of the claimed invention must be shown in as complete detail as is contained in the claim.

Accordingly, with the above-noted features not being disclosed or suggested in Matsumoto et al, independent Claims 1, 14, and 18 (and the claims dependent therefrom) are believed to patentably define over the art of record.

Conclusion, in view of the present amendment and in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

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